

1 Martha G. Bronitsky
Chapter 13 Standing Trustee
2 24301 Southland Dr #200
Hayward, CA 94545-1541
3 (510) 266 - 5580

4 Trustee for Debtor(s)

5 UNITED STATES BANKRUPTCY COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7 OAKLAND DIVISION

8 In re

Michael Lavon Spriggs

Chapter 13 Case No. 09-71618-RN 13

10 debtor(s)

11 **Trustee's Motion and Declaration to**
12 **Dismiss Proceedings and Notice Thereon**

13 TO DEBTOR(S) AND DEBTOR(S)' ATTORNEY OF RECORD:

14 Martha G. Bronitsky, Chapter 13 Standing Trustee hereby moves the court for an Order
15 Dismissing these proceedings pursuant to 11 U.S.C. Section 1307(c) upon the grounds that the
16 debtor(s) is in material default for the following reasons:

17 Failure to file certification of pre-filing consumer credit counseling and/or declaration of exigent
18 circumstances re: pre-filing credit counseling, balance of schedules, chapter 13 plan and form
19 b22(c)

20 NOTICE IS HEREBY GIVEN that debtor or the attorney of record may request a hearing in
21 writing stating specific grounds for objecting to the dismissal of these proceedings to the court and
22 served on the trustee no later than twenty (20) days from the date of service of this motion. Trustee
23 will then schedule a hearing date and notice debtor and the attorney of record of said hearing date.

24 I declare under penalty of perjury that the foregoing is true and correct.

25 Date: December 22, 2009

/s/ Martha G. Bronitsky

Signature of Martha G. Bronitsky
Chapter 13 Standing Trustee

1 In re

2 Michael Lavon Spriggs
3 debtor(s)

Chapter 13 Case No. 09-71618-RN 13

4 CERTIFICATE OF SERVICE

5 I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the
6 debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor representatives and the
7 registered agent for the creditor by depositing it in the United States mail with first class
8 postage attached thereto.

9 I declare under penalty of perjury under the laws of the State of California that the foregoing is
10 true and correct.

11 Michael Lavon Spriggs
12 5878 Beaudry St
13 Emeryville, CA 94608

Pro Per
(Counsel for Debtor)

14 (Debtor(s))

15 Date: December 22, 2009

/s/ Veronica Valdez

Veronica Valdez